

FORM SUMMARY

Name of Form:	Waiver of Stayed Delinquency Dispositional Order and Order Lifting Stay
Form Number:	JD-1750
Statutory Reference:	§938.34(16), Wisconsin Statutes
Purpose of Form:	To allow a juvenile to waive the right to a hearing when the supervising agency is asking to have the court lift a stay of a dispositional order.
Who Completes It:	Caseworker and juvenile; order signed by circuit judge.
Distribution of Form:	Original to court, caseworker will probably retain a copy for the juvenile's file and for the juvenile.
Accompanying Forms:	Generally none, unless the entire dispositional order had been stayed. If that was done, a copy of the dispositional order that is being reimposed should be attached.
New Form/Modification:	Modification, new form 4/97.
Modifications:	Added a file/date stamp to upper right corner. Added a statement on the bottom indicating that the form shall not be modified.
Comments:	Section 938.34(16) allows a court in a delinquency case to stay all or a portion of the dispositional order. This is similar to the criminal court authority to impose and stay a sentence. For example, a court may impose up to 30 days in secure detention as a dispositional option, but then stay all or part of the secure detention on the condition the juvenile comply with other provisions of the order (supervision, restitution, community service, etc.) If the juvenile violates the dispositional order, the court can lift the stay and have the original conditions imposed. The juvenile has a right to a hearing before this is done. This form allows the juvenile to waive a hearing and provides an order for the court to lift the stay. The form provides the flexibility for the court to determine precisely how much of the stayed conditions should be reimposed. It also indicates that although the caseworker and juvenile may request specific conditions be imposed, a judge is not bound by that agreement.
About this form:	<p>This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.</p> <p>If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.</p>